

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**DATATERN, INC.,**

Plaintiff,

v.

**THE ALLSTATE CORPORATION, et al.,**

Defendants.

Civil Action No. 2:09-cv-00178-TJW

The Honorable T. John Ward

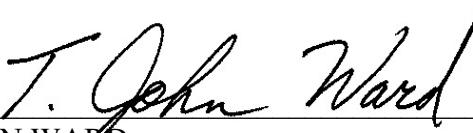
**JURY TRIAL DEMANDED**

**ORDER GRANTING MOTION FOR DISMISSAL WITH PREJUDICE**

CAME ON THIS day for consideration the Stipulated Motion to Dismiss with Prejudice all counterclaims asserted by Defendant CHEVRON U.S.A. INC. against Plaintiff DATATERN, INC. in this case, and the Court being of the opinion that said motion should be **GRANTED**, it is hereby **ORDERED** that all counterclaims or causes of action asserted in this suit by Defendant CHEVRON U.S.A. INC. against Plaintiff DATATERN, INC. be dismissed with prejudice, subject to the terms of that certain agreement entitled "Settlement Agreement" and dated February 10, 2010.

It is further **ORDERED** that each party shall bear its own costs, expenses and attorney's fees.

SIGNED this 16th day of February, 2010.

  
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**T. JOHN WARD**  
UNITED STATES DISTRICT JUDGE